

BEFORE THE  
DIVISION OF MEDICAL QUALITY  
BOARD OF MEDICAL QUALITY ASSURANCE  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Petition for  
Termination of Probation

MILAN L. HOPKINS, M.D.  
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License No. C-34406

Petitioner.

OAH NO. N-23988

DECISION

This matter came on for hearing on December 14, 1984, in Sacramento, California before a panel of the Medical Quality Review Committee. Muriel Evens, Administrative Law Judge of the Office of Administrative Hearings, sat with the panel.

Petitioner was present and represented himself.

Roy Liebman, Deputy Attorney General, appeared pursuant to Government Code Section 11522.

Evidence was received and the matter was submitted. After consideration, the panel makes the following decision.

FINDINGS OF FACT

I

In January, 1980, petitioner stipulated to overprescribing controlled substances and related violations. His physicians and surgeon certificate was revoked, stayed and he was placed on probation for 10 years. Terms of probation included a 90-day suspension, cancellation of his DEA permit and prohibition against prescribing controlled substances.

## II

Petitioner has complied with the probationary order. He has volunteered with drug abuse programs and with a feminist women's health center. His practice no longer includes the drug dependent patients he previously served.

## III

Petitioner offered sufficient evidence of rehabilitation to warrant modification of his probationary terms.

### DETERMINATION OF ISSUES

Evidence establishes that petitioner is sufficiently rehabilitated to modify his probationary order consistent with the public welfare and safety.

### ORDER

The petitioner's probationary order is modified as follows:

1. Petitioner's period of probation shall continue until April 30, 1990.
2. Petitioner may reapply for a DEA permit.
3. Petitioner shall maintain a record of all controlled substances prescribed, dispensed or administered by petitioner during probation, showing all the following:  
1) the name and address of the patient, 2) the date, 3) the character and quantity of controlled substances involved, and 4) the pathology and purpose for which the controlled substance was furnished.
4. Petitioner shall obey all federal, state and local laws, and all rules governing the practice of medicine in California.
5. Petitioner shall submit quarterly declarations under penalty of perjury on forms provided by the Division, stating whether there has been compliance with all the conditions of probation. In addition, petitioner shall submit a copy of the record prepared in term number 3 above.

6. Petitioner shall appear in person for interviews with the Division's medical consultant upon request at various intervals and with reasonable notice.
7. In the event petitioner should leave California to reside or to practice outside the State, petitioner must notify the Division in writing of the dates of departure and return. Periods of residency or practice outside California will not apply to the reduction of his probationary period.
8. Upon successful completion of probation, petitioner's certificate will be fully restored.
9. If petitioner violates probation in any respect, the Division, after giving petitioner notice and the opportunity to be heard, may revoke probation and carry out the disciplinary order that was stayed. If an accusation or petition to revoke probation is filed against petitioner during probation, the Division shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

This Decision shall be effective February 21, 1985.

IT IS SO ORDERED this 22nd day of January, 1985.

By William Pratt  
WILLIAM PRATT, M.D.  
Chairperson